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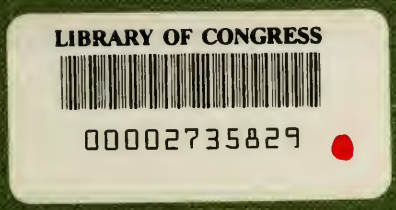

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REFERENCES TO ACTS AUTHORIZING THE PAYMENT FOR PROPERTY LOST, CAPTURED, OR DESTROYED BY THE ENEMY WHILE IN THE MILITARY SERVICE, ETC.

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REFERENCES TO ACTS AUTHORIZING THE PAYMENT FOR PROPERTY LOST, CAPTURED, OR DESTROYED BY THE ENEMY WHILE IN THE MILITARY SERVICE, ETC.

On April 9, 1816, Congress passed an act entitled "An act to authorize the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes." (3 Stat., p. 261.)

Section 1 of said act provided for paying for horses lost in battle or otherwise while in the military service in the war of 1812.

Section 2 directed payment for horses lost by the owner being dismounted or separated from the same.

Section 3 directed payment for all horses, mules, oxen, wagons, carts, boats, sleighs, or harness which were lost, captured, or destroyed by the enemy while such property was in the military service of the United States by impressment or contract.

Section 4 directed payment for arms and accouterments lost or destroyed.

Section 5 provided that where any property had been impressed or taken by public authority for the subsistence of the Army and was destroyed, lost, or consumed the owner should be paid the value thereof.

Section 9 provided—

> That any person who, in the time aforesaid, has sustained damage by the destruction of his or her house or buildings by the enemy while the same was occupied as a military deposit, under the authority of an officer or agent of the United States, shall be allowed and paid the amount of such damage: *Provided*, It shall appear that such occupation was the cause of its destruction.

Said act provided for the appointment of a commissioner to settle and adjust these claims under such rules and regulations as the President should prescribe.

Richard Bland Lee was appointed the commissioner, and by reference to American State Papers (Vol. Claims, pp. 490 to 496) will be found the rules and regulations prescribed by the President for the guidance of the commissioner.

The report there shows that the commissioner had, from July 1 to December 17, 1816, adjusted 850 claims, upon which he awarded $229,693.15.

The commissioner stated in his report that the rules adopted by the President and himself had also been adopted by Congress in the passage of several private acts, in April, 1816, and, among others, acts for paying William Flood for a house burnt by the British; to pay Clinton County, N. Y., for a courthouse burnt by order of Gen. Macomb;

and to pay Hamilton County, Ohio, for the courthouse burnt while occupied by troops of the United States.

On February 20, 1818, the commissioner, through the Secretary of War, made a report showing what amount had been paid on claims under the ninth section, but this report does not appear to have been printed in the American State Papers. It is referred to on page 590.

The act of April 18, 1818, transferred all unadjusted claims to the third auditor and directed that he should settle and adjust them in accordance with the rules and regulations prescribed for the commissioner by the President under the act of 1816. (3 Stat. L., p. 466.)

Subsequently Congress referred many claims that had not been filed within the limitations of the act of 1816 to the third auditor to be settled upon the rules mentioned.

Congress also passed many private claims of like character, among others for the numerous ropewalks and contents burnt at Baltimore by the commanding officer. (6 Stat. L., pp. 150, 155, 221, 673.)

Congress has passed numerous private acts to pay for houses and buildings belonging to private citizens damaged or destroyed by orders of officers or agents of the Government, and also for those damaged or destroyed by the enemy in time of war, as will appear in volume 6, Statutes at Large.

A partial list of these acts are appended hereto:

Act of April 16, 1800, to pay the Rhode Island College for the use and injuries to buildings by United States troops from December 10, 1776, to April 20, 1780. (Page 40.)

Act of February 2, 1815, to pay William Robinson and nine others for damage done to their property by United States troops. (Page 146.)

Act of February 27, 1815, to pay Jacob Shinnick and four others for the destruction of ropewalks and other property therein deposited, at Baltimore, by United States authorities. (Page 150.)

Act of February 27, 1815, to pay William H. Washington for a house at the Potomac Bridge destroyed by order of a United States officer, 1814. (Page 151.)

Act of March 3, 1815, to pay the Eastern Branch Bridge Co. for damage done to the bridge, by order of the Navy Department, 1814. (Page 152.)

Act of March 3, 1815, to pay the Anacostia Bridge Co. for the destruction of their bridge, by order of the military, in 1814. (Page 153.)

Act of March 3, 1815, to pay Thomas Sprigg for the destruction of his hempen yarn in the ropewalks near Baltimore by order of Gen. Foreman. (Page 155.)

Act of March 3, 1815, to pay mechanics and others employed at the Washington Navy Yard for the destruction of their property burnt by the British in 1814. (Page 155.)

Act of March 3, 1815, to pay James Savage and 20 others for the destruction of their houses and property at Plattsburg, N. Y., in 1814, by order of Gen. Macomb. (Page 155.)

Act of April 24, 1816, to pay William Flood for property destroyed by the British at New Orleans in 1815. (Page 163.)

Act of April 26, 1816, to pay Clinton County, N. Y., for a courthouse destroyed by order of Gen. Macomb in 1814. (Page 164.)

Act of April 26, 1816, to pay Hamilton County, Ohio, for the destruction by fire of the courthouse while occupied by United States troops. (Stat. L., page 306.)

Act of April 26, 1816, to pay the Washington Bridge Co. for injury to their bridge, by order of United States officers, in 1814. (Page 168.)

Act of April 27, 1816, to pay Samuel Manac for his property destroyed by hostile Creeks in late war. (Page 171.)

Act of April 27, 1816, to pay the estate of John Ross for the occupation of his farm and destruction of his buildings by United States troops at Point Petre, Ga., War of 1812. (Page 173.)

Act of March 1, 1817, to pay the estate of Ignace C. Delino and others for their property destroyed near New Orleans by order of Gen. Jackson. (Page 186.)

Act of March 3, 1817, to pay Madame Montriuel for injury to her property, by order of Gen. Jackson. (Page 187.)

Act of March 3, 1817, to pay Peter Casland for the destruction of his sawmill and other property, by order of Gen. Morgan. (Page 188.)

Act of March 3, 1817, to pay the friendly Creek Indians $85,000 for their property destroyed by hostile Creeks in War of 1812. (Page 191.)

Act of March 3, 1817, to pay Joseph I. Green for damage done to his house at Plattsburg, N. Y., in 1814, by order of Gen. Macomb. (Page 193.)

Act of March 3, 1817, to pay Caleb Nicholls for damage done to his house and store, by order of Gen. Macomb, at Plattsburg, N. Y., in 1814. (Page 194.)

Act of March 3, 1817, to pay James H. Boisgervais for the destruction of his sawmill and property, near New Orleans, by order of Gen. David B. Morgan. (Page 195.)

Act of March 3, 1817, to pay William Oliver for the destruction of his house, by order of the officer who commanded at Fort Wayne, in 1812. (Page 196.)

Act of April 11, 1818, to pay Sarah Dewees and others $8,000 for property taken for public use in war. (Page 207.)

Act of April 18, 1818, to pay Thomas Miller and Stephen Baker, of New York City, $3,500 for the value of a house burnt in Greenwich, N. Y., while rented and occupied by United States troops. (Page 209.)

Act of April 20, 1818, to pay Samuel F. Hooker, of Sacketts Harbor, N. Y., for property taken for public use, and for a house and barn destroyed by the enemy at Cape St. Vincent. (Page 211.)

Act of January 19, 1819, to pay Mottrom Ball, of Northumberland County, Va., $1,400, for the destruction of his buildings on Old Courthouse Point. (Page 217.)

Act of February 16, 1819, to pay Daniel Reuner and N. H. Heath $19,803.60 for cordage, spun yarn, and hemp burnt in their ropewalk, in August, 1814. (Page 221.)

Act of March 3, 1819, to pay Michael Hogan, of Utica, N. Y., $1,100 for damages done to his house by United States troops. (Page 231.)

Act of December 29, 1820, to pay Elias Parks, of Oswego, N. Y., for goods destroyed by the British in 1814. (Page 254.)

Act of March 2, 1821, to pay Rosalie P. Deslonde $2,227 for damage done to her house and plantation by United States troops, near New Orleans, in 1814. (Page 258.)

Act of March 2, 1821, to pay John Rodriguez $1,857 for injuries to his buildings and plantation while occupied by United States troops in 1814, near New Orleans. (Page 259.)

Act of March 2, 1821, to pay Francis B. Languille $2,250 for injury to his buildings while occupied by United States troops in 1814, near New Orleans. (Page 259.)

Act of March 2, 1821, to pay Alexander Milne $2,500 for the destruction of buildings and other property by the United States troops at New Orleans in 1814. (Page 259.)

Act of March 2, 1821, to pay Lewis H. Guerlain, of Louisiana, $420 for injury to his plantation and buildings by United States troops in 1814. (Page 259.)

Act of March 2, 1821, to pay Joseph McNeil $700 for injuries sustained during the invasion of the British of New Orleans in 1814. (Page 259.)

Act of March 2, 1821, to pay Bartholomew Duverge, of New Orleans, $2,100 for use and destruction of property by United States troops in 1814. (Page 260.)

Act of March 2, 1821, to pay Pierre Dennis de la Roude $5,770.50 for injury to his plantation and buildings while occupied by United States troops in 1814 near New Orleans. (Page 260.)

Act of April 17, 1822, to pay John Anderson, of Michigan, $1,300 for his house destroyed by fire in 1813 while occupied by United States troops without his consent. (Page 264.)

Act of May 1, 1822, to pay James May $1,800, and the legal representatives of William Macomb $2,900, both of Detroit, for injuries done to their farms by United States troops during the War of 1812. (Page 266.)

Act of May 7, 1822, to pay William Henderson $2,765 for property destroyed by the British, at Mundy Point, Va., War 1812. (Page 268.)

Act of May 7, 1822, to pay Edward McCarty's estate $2,940 for property destroyed during the invasion of Louisiana in 1814. (Page 270.)

Act of May 7, 1822, to pay the legal representatives of Joseph Hodgson, of Washington, D. C., for the value of a dwelling house destroyed by fire in 1800, while rented and occupied by the Secretary of War. (Page 273.)

Act of May 7, 1822, to pay Solomon Provost, of Louisiana, $1,966 for losses by British invasion in 1814. (Page 273.)

Act of May 7, 1822, to pay Thomas Shields, of Louisiana, $1,693.10 for property burned by order of Lieut. Jones, United States Navy, at Bay St. Louis, in 1814. (Page 274.)

Act of May 7, 1822, to pay Matthew McNair, of Michigan, $3,000 for a boat destroyed by order of the commanding officer at French Mills, Mich. (Page 275.)

Act of May 7, 1822, to pay John Pellet, of Louisiana, $3,864 for the destruction of his buildings and other property during the invasion of 1814. (Page 277.)

Act of March 3, 1823, to pay Edward Evat $1,338.81 for his house burnt while occupied by United States troops. (Page 281.)

Act of March 3, 1823, to pay Eleanor Lawrence $1,070 for damages to her farm on Long Island, N. Y., by occupation of United States troops in 1813. (Page 282.)

Act of March 3, 1823, to pay Samuel Walker $175, Joseph L. Dutton $450, John Martin and others $175, for injuries done to their lands near Marcus Hook on the Delaware River in 1814 by erecting defensive works thereon. (Page 284.)

Act of May 17, 1824, to pay the estate of Samuel Mims $1,800 for buildings destroyed by hostile Indians at Fort Misus, Ohio, in 1813. (Page 300.)

Act of May 17, 1824, to pay William T. Nimmo $500 for the destruction of a house in Princess Anne County, Va., by the British in 1813. (Page 300.)

Act of May 17, 1824, to pay David Cooper $80 for an unfinished house pulled down and converted into a barrack. (Page 301.)

Act of May 18, 1824, to pay Lemuel Arms $150 for the destruction of a building at Sacketts Harbor, N. Y., by United States troops in January, 1815. (Page 304.)

Act of May 25, 1824, to pay Alexander McNair, of Missouri, $2,000 for his house burnt near Fort Massack, while occupied by United States troops. (Page 314.)

Act of March 3, 1825, to pay Joseph Dozet and Antoine Bourgoud $400 for destruction of their property at River Raisin, Mich., in 1812, by order of Col. John Anderson. (Page 323.)

Act of March 3, 1825, to pay Sarah Shillito $350 for her house destroyed in 1813, while occupied by United States troops. (Page 325.)

Act of March 3, 1829, to pay the legal representatives of John Guest for a frame house and brick office burnt by the British at Havre de Grace in 1813. (Page 400.)

Act of January 30, 1830, to pay Joel Byington $282.16 for damage done to his house and barn by United States troops. (Page 403.)

Act of February 11, 1830, to pay Joseph Dixon $30 for damage to his lot on Dixons Point, Me., by taking soil therefrom to erect fortifications. (Page 404.)

Act of February 11, 1830, to pay the church wardens of Elizabeth City, Va., $130.50 for recasting a bell broken during the War of 1812 while used as an alarm by the commanding officer at that place. (Page 404.)

Act of February 11, 1830, to pay Peter Ford $133 for oxen lost on retreat from River Raisin. (Page 405.)

Act of April 7, 1830, to pay Jean Baptiste Centure $2,000 for house, store, stable, and other buildings at Frenchtown, Mich., destroyed by the British and Indians in 1813 while occupied by the United States troops. (Page 411.)

Act of April 7, 1830, to pay John Rodriguez $883 for injury to his plantation by erecting earthworks thereon. (Page 412.)

Act of April 7, 1830, to pay Hubert La Croix, of Michigan, for the destruction of his house at Frenchtown in 1813 by the British and Indians. (Page 412.)

Act of May 29, 1830, to pay the heirs of the Widow Dupre $8,995 for the destruction and damage of her buildings near New Orleans by the United States military forces under Gen. Jackson in 1815. (Page 438.)

Act of May 31, 1830, to pay Jean Baptiste Jerome for a barn burnt by order of an American officer at Frenchtown, Mich., to prevent its use as a cover for the British and Indians in 1813. (Page 448.)

Act of May 31, 1830, to pay Gabriel Godfrey for the destruction of his barn and other property by order of an American officer, at Frenchtown, Mich., to prevent its use as a cover by the British and Indians in 1813. (Page 450.)

Act of March 3, 1831, to pay Benjamin S. Smoot, of Alabama, $1,000 for a house destroyed by order of a United States officer to prevent its being a shelter for the British in their attack upon Fort Bowyer in 1814. (Page 466.)

Act of May 3, 1832, to pay Pericia Tupper $450 for a barn destroyed by the British near Buffalo, N. Y., in the War of 1812. (Page 478.)

Act of July 14, 1832, to pay Silvia Posner for a house and other buildings burnt in the War of 1812, while occupied by United States troops. (Page 513.)

Act of July 14, 1832, to pay Samuel May, of Buffalo, N. Y., $3,150 for the destruction of two warehouses by the British in 1813. (Page 518.)

Act of July, 1832, to pay John Brunson for the value of a house and store destroyed by the British at Buffalo, N. Y. (Page 518.)

Act of July 14, 1832, to pay estate of Edward Barry $568.35 for property destroyed in the burning of the Washington Navy Yard by the British in 1814. (Page 520.)

Act of July 14, 1832, to pay Augustine Taney for buildings burnt by the British near Baltimore, Md., in 1814. (Page 525.)

Act of July 14, 1832, to pay Henry Waller for buildings burnt by the British on the eastern shore of Maryland in 1814. (Page 525.)

Act of February 9, 1833, to pay Gabriel Godfrey and Jean Baptiste Beaugrand $1,020 for a barn, storehouse, and stable burnt by the British and Indians at Frenchtown, Mich., in 1813. (Page 534.)

Act of March 2, 1833, to pay the estate of George Hodge $824.18 for property destroyed in the burning of the Washington Navy Yard by the British in 1814. (Page 545.)

Act of March 2, 1833, to pay Joshua P. Frotheringham $1,500 for a building burnt at Charlestown, Mass., in 1776, by order of Gen. Putnam. (Page 546.)

Act of June 30, 1834, to pay Henry Sewall and Robert Sewall, of St. Marys County, Md., $10,000 for property destroyed by the British. (Page 585.)

Act of June 30, 1834, to pay the estate of John Rose $2,500 for property burnt by the British at Washington Navy Yard. (Page 594.)

Act of March 3, 1835, to pay estate of Aaron Smith, of Champlain, N. Y., $80 for the destruction of his property by United States troops. (Page 617.)

Act of March 3, 1835, to pay John I. Avery $200 for occupation of his land and erecting earthworks thereon. (Page 618.)

Act of February 17, 1836, directing payment to James Tilford for property destroyed upon the principles of the acts of April 9, 1816, and March 3, 1817, to pay for property destroyed by the enemy. (Page 622.)

Act of February 17, 1836, to pay to William Baker $225.30 for the use and damage done to his property at Sacketts Harbor in 1813 by United States troops. (Page 623.)

Act of February 17, 1836, to pay Jacob B. Gilbert $600 for a house destroyed by the British on Niagara frontier. (Page 625.)

Act of February 17, 1836, to pay the estate of Thomas Beacham, of Northumberland County, Va., $600 for a barn burnt by the British, War of 1812. (Page 626.)

Act of June 23, 1836, to pay Charles M. Frazier, of St. Leonards, Md., for a house burnt by the British in 1814. (Page 642.)

Act of July 1, 1836, to pay the heirs of Wm. Forbes $2,100 for houses burnt by the British at Kinsale, Va., War of 1812. (Page 660.)

Act of July 1, 1836, to pay estate of Michael Fenwick $5,000 for a dwelling house destroyed by the British while occupied by United States troops, and to adjust and settle claims for other houses burnt by the British. (Page 661.)

Act of July 2, 1836, to pay estate of Nathaniel Canada for a tollhouse and bridge across Niantic River, Conn., burnt by the British in 1814. (Page 669.)

Act of July 2, 1836, to pay Charles J. Catlett for tobacco, destroyed by the British and American troops, in warehouses at Baltimore, Md., in 1814. (Page 673.)

Act of March 3, 1837, to pay David Kilborn, of Oswego, N. Y., $2,500, for property destroyed, War of 1812. (Page 690.)

Act of February 22, 1838, to pay estate of John McCarty, $1,000, for a house burnt by the British at Farnham, Va., in 1814. (Page 703.)

Act of March 7, 1838, to ascertain value of property of Frances Gardener, destroyed by order of the commanding officer at Fort Brooks, Fla. (Page 705.)

Act of March 19, 1838, to pay estate of Benjamin H. Mackall, for houses destroyed by the British in 1814, in Maryland. (Page 707.)

Act of March 28, 1838, to pay James I. Pattison, of Calvert County, Md., $4,200 for house and other property destroyed by the British in 1814. (Page 709.)

Act of April 6, 1838, to pay William Eadus $2,000, for a house burnt by the British at Sodus, N. Y., in 1813. (Page 710.)

Act of April 20, 1838, to pay Calvert County, Md., $3,000, for courthouse burnt by the British in 1814. (Page 711.)

Act of July 7, 1838, to pay Richard Frisby, of Kent County, Md., $2,000, for property destroyed by the British in 1814. (Page 743.)

Act of March 3, 1839, to pay estate of Michael Fenwick $7,000, for houses burnt by the British in Washington, D. C. (Page 759.)

Act of July 27, 1842, to pay Archibald McCallum, of Rouses Point, N. Y., $930 for a house burnt in 1839 while occupied by United States troops. (Page 844.)

Act of August 1, 1842, to pay Sylvester Phelps, and the heirs of Charles Landon, $2,100 for a house burnt at South Hero, Vt., War of 1812, while occupied by United States troops. (Page 848.)

Act of August 26, 1842, to pay John King $900 for a dwelling house burnt by the British in Richmond County, Va., War of 1812. (Page 865.)

Act of August 26, 1842, to pay James Tongue $1,837.78, John Scrivener $3,840, and estate of William Hodson $3,968.39 for buildings destroyed by the British, October, 1814. (Page 866.)

Act of March 1, 1843, to pay William G. Sanders $900 for a house burnt at Fort Brooks, Fla., in 1836, by order of Capt. Belton, United States Army, to prevent it being used as a cover by the enemy.

Act of March 3, 1843, to pay Charles Waldron $1,179.61 for buildings and other property destroyed at Micanopy, Fla., in 1836, by order of the commanding officer, to prevent its falling into the hands of the enemy. (Page 891.)

NOTE.—Many other similar claims have been paid by acts of Congress since those herein named, and some since the War of 1861–1865.

In 1867 (14 Stats. L., p. 617) an act was passed to pay Josiah O. Armes $9,500 for a house destroyed in Fairfax County, Va. That house was destroyed, as the committee reported, by military orders and to prevent its being used by the enemy as a cover for attack and also a point of observation.

In 1871 (16 Stats. L., p. 678) an act was passed to pay the Kentucky University, located at Lexington, the sum of $25,000 for buildings destroyed. The buildings were taken by military authority. They were destroyed by accident.

In 1873 (17 Stats. L., p. 767) an act was passed to pay Margaret Merklein, of Chambersburg, Pa., $600 for property destroyed by the enemy.

In 1893 (27 Stats. L., p. 744) an act was passed to pay William and Mary College, of Virginia, the sum of $64,000, to reimburse said college for the destruction of its buildings and other property destroyed without authority by soldiers of the United States during the late war for the suppression of the rebellion.

(Compiled by J. B. Holloway.)

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